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STATE PASS TO USTR
USTR FOR MELISSA CLARKSON AND WENDY MOORE
STATE FOR EUR/ERA SHAWN GRAY AND EEB/TPP/ABT/BTT JACK BOBO
USDA/FAS FOR ELIZABETH JONES

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SUBJECT: POLAND: DEMARCHE RESPONSE: EU PROGRESS ON BIOTECH

REF: STATE 153542

11. (SBU) Summary: Post has delivered reftel demarche to the Polish Ministries of Economy, Environment and Agriculture. Poland is in the process of forming a new government, and consequently its capacity to engage on the issue before November 21 is limited. Although it appears unlikely that Poland will quickly change its policy of opposing biotechnology, post will continue to stress the importance of this issue with the new government's officials. End summary.

Ministry of Economy

12. (SBU) On November 7, EconOff delivered reftel demarche to Kryzstof Januszek, Acting Director of the Trade Policy Department at the Polish Ministry of Economy. Januszek stated that, having spent several years working in Geneva, he fully understood the import of the U.S. message, and was aware of what could happen if the EU fails to comply with the WTO Panel's finding. However, he noted that, on this issue, the Ministry of Economy is only one player in the Polish interagency debate. While the Ministry of Economy has been a proponent of a more trade-liberalizing approach to biotech, strong anti-biotech lobbies in the Ministries of Environment and Agriculture have been quite successful in advancing their views within the Polish government. He stated that the Polish position is closer to that of France or Italy. While the newly-elected Polish government may show more concern regarding the effects of failing to comply with international obligations as determined by the WTO Dispute Settlement Body, Januszek was doubtful that we could expect a significant change in Polish policy on the biotech issue.

Ministry of Environment

13. (SBU) On November 8, AgCouns and EconOff delivered reftel demarche to Slawomir Gurtowski, Deputy Director of the Ministry of the Environment's Department of Global Environmental Problems and Climate Change, who is responsible for WTO issues. Gurtowski said he was aware of the current biotech dispute and the consequences for Poland of failing to complain with the WTO Panel's finding. He was reluctant to discuss the issue further. He said that, in light of the opposition party's victory in last week's elections, the departing minister of the environment will not make a decision that could tie the hands of his replacement, who has yet to be named. Gurtowski did note that most of his

information about genetically modified foods comes from anti-biotech NGOs. Consequently, he described his office's opposition to GMO's as based on the preventive principle and a belief that GMOs harm small farmers. When AgCouns offered examples of farmers in less developed countries who had successfully used GMOs Gurtowski said he realized there was another side to the GMO controversy, but was not familiar with the details. AgCouns and EconOff offered to provide Gurtowski with additional scientific information. AgCouns and EconOff also arranged to meet with representatives of the ministry again when the new government begins to coalesce.

Ministry of Agriculture

¶4. (SBU) On November 12, AgCouns delivered reftel demarche to Jan Ardanowski, Under Secretary of Agriculture. Ardanowski repeated that Poland does not support the use of biotechnology in EU member states. He said a new government may be more receptive to the technology and to working with the Commission. He stated that the new Polish government would have to decide what Poland's position was on the November 21 implementation deadline for the WTO decision, and that the U.S. side should not expect Poland to be very engaged on the topic given the government changeover. He added that the new coalition government would make biofuels a priority, and this might create an opening for greater use of the technology in Poland, with products channeled into the energy sector. As well, he commented that a new leadership of the Ministry, expected to be from the Polish People's Party (PSL), must cope with the 70 percent public disapproval of biotechnology shown by polls. Ardanowski, a member of the former ruling party, PiS (Law and Justice), will be leaving

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his position in a matter of days.
HILLAS